



PATENT
Atty. Docket No. 41393-JDV-rf
10/527,194

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S): Mattioli, A.

SERIAL NUMBER: 10/527,194

ART UNIT: Not Yet Assigned

FILING DATE: February 10, 2003

EXAMINER: Not Yet Assigned

TITLE: Necktie With Three or More Parts in Sight and Knot With Two or More Fabric Films

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA. 22313-1450

RECEIVED
15 NOV 2005
Legal Staff
International Division

**PETITION TO WITHDRAW HOLDING OF ABANDONMENT UNDER CFR 1.181(a) and
MPEP 711.03(c)I**

Sir:

Under 37 CFR 1.181(a), Applicant petitions to withdraw the holding of abandonment in the above referenced Application. A statement of facts is set forth below:

1. On September 13, 2005 the U.S.P.T.O. mailed a Notification of Abandonment to the Applicant, stating the Applicant has failed to provide the full U.S. Basic National Fee by 30 months, as per C.F.R. 1.495. Correspondence attached as Appendix A (1 page).
2. Applicant, acting pro se, has in fact paid this fee, and the above mentioned Notification of Abandonment has apparently been sent in error. All supporting documentation is included.
3. On July 29, 2004 Applicant acting pro se sent a letter to the PCT Special Programs Service of the U.S.P.T.O. inquiring how to pay the basic national fee. See Appendix B (1 page).
4. On July 29, 2004 U.S.P.T.O. employee Debra Bittingham responded with instructions on paying the basic fee by international wire transfer from Italy. See Appendix C (3 pages).
5. On August 9, 2004, the full Basic National Fee was sent by wire Transfer to the U.S.P.T.O. in exact accordance with the instructions of Debra Bittingham. See Appendix D (2 pages).
6. On September 10, 2004, Applicant acting pro se sent a status inquiry to the Office of Initial Patent Examinations. See Appendix E (1 page). The U.S.P.T.O. failed to reply to the status inquiry.
7. On or about August 5, 2005, Applicants representative called the Office of Initial Patent

BEST AVAILABLE COPY

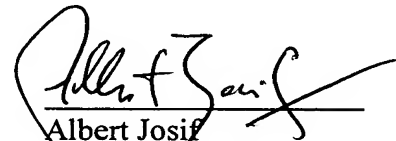
Examinations and was told by an unknown U.S.P.T.O. employee that the Application and fee have been received, that the U.S.P.T.O. was experiencing delayed processing time, and that no action was needed at this time. Applicants were advised to "check again in a few months." The next U.S.P.T.O. correspondence was the above mentioned Notification of Abandonment.

Because it is clear that the Basic National Fee was timely paid in exact accordance with U.S.P.T.O. instructions, and the Notification of Abandonment was thus sent due to U.S.P.T.O. error, Applicants respectfully request that the Notification of Abandonment immediately be withdrawn, and the the Application proceeds to Examination without further delay.

Applicant believes that no fees are due upon submission of these papers. However, if any fees are due, the Commissioner is hereby authorized to charge them, or credit any overpayment, to Deposit Account 13-3860.

Respectfully submitted,

Date: November 7, 2005



Albert Josif
Reg. No. 22,917
Agent for Applicant

Dr. Modiano & Associati S.p.A.
via Meravigli 16
Milan, Italy 20123

Encl.: Appendices A-E;
Power of Attorney duly signed by the Applicant.

RAPPORTO VERIFICA TRASMISSIONE

ORA : 11/09/2004 15:53

Page 1 of 1



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22304-1450
www.uspto.gov

U.S. APPLICATION NUMBER NO. 10/527,194	FIRST NAMED APPLICANT Alessandro Mattioli	ATTY. DOCKET NO.
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INTERNATIONAL APPLICATION NO. PCT/IT03/00061

LA. FILING DATE 02/10/2003	PRIORITY DATE 02/08/2002
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Alessandro Mattioli
Via Dante 16
40069 Zola Predosa - Bologna
Italy,
ITALY

CONFIRMATION NO. 5845

371
ABANDONMENT/TERMINATION
LETTER



QC00000018977425

Date Mailed: 09/13/2005

NOTIFICATION OF ABANDONMENT

The United States Patent and Trademark Office in its capacity as a Designated / Elected Office (37 CFR 1.495) has made the following determination:

- Applicant has failed to provide the full U.S. Basic National Fee by 30 months (37 CFR 1.495(b)(2)).

Therefore, the above identified application failed to meet the requirements of 35 U.S.C. 371 and 37 CFR 1.495, and is ABANDONED AS TO THE UNITED STATES OF AMERICA.

PAULETTE R KIDWELL

Telephone: (703) 308-9140 EXT 216

PART 1 - ATTORNEY/APPLICANT COPY

FORM PCT/DO/EO/909 (371 Abandonment Notice)

Appendix A (1 page)
Notification of
Abandonment

17/20/2001 17:20 FAX T03 305 2919
28/07/2001 07:54 051-702156

USPTO PCT HELP DESK
BIMA SNC

14002
PAG 21/01

A. ALESSANDRO MATTIOLI
V. Dueto, 16
40 69 Zola Predosa - Bologna
ITALY

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F: +39 051-702156
e: all: biomasnc@libero.it

RECEIVED
JUL 23 2004
PCT SPECIAL
PROGRAMS OFFICE

Received
← U.S.P.T.O.

To:

U.S.P.T.O.

JUL 29, 2004

SUBJECT: URGENT INFORMATIONS FOR FILING A PATENT
APPLICATION

AA AAAA

Dear Sirs,

with regard to a PCT file I need to enter in the U.S. national phase urgently.
Before August 08, I'd like submit to you the following questions (I'm sorry, but I wasn't be
able to find on your site a more indicate fax or e-mail address for my questions):

Can I send the entire application (drawings included) to a specific fax number and,
immediately after, send all the documents in original copies to a specific mailing
address? If yes, could you kindly state fully these informations?

→ I didn't understand the right formalities to send a bank transfer (completely account
and bank address, SWIFT, etc

I looked for resolve the above mentioned doubts on your web site, but without success.

Thank you very much in advance for your kind reply.

You can send your explanations to the fax number +39 051-702156 or e-mail
address: biomasnc@libero.it

Thank you again. Best regards

Alessandro Mattioli



Appendix B (one page)
Request for wire transfer
Instructions

PCT Help Desk
US Patent and Trademark Office
Telephone: (703) 305-3257
Facsimile: (703) 305-2919

FAX

To: Alessandro Mattioli

From:

Debra Brittingham

Re: 305 702156

Pages:

4

Phone:

Date:

Re: Your Questions

CC:

☐ Urgent

☐ For Review

☐ Please Comment

☐ Please Reply

☐ Please Recycle

Appendix C - page 1 of 3
Response from PCT Helpdesk
re: International Wire Transfer

29 July 2004

Mr. Mattioli,

In response to your question, you may NOT file your application by facsimile. It must be filed by mail. Our mail address is:

U.S. Patent and Trademark Office
Mail Stop PCT
P.O. Box 1450
Alexandria, VA 22313-1450 U.S.A.

In response to your second question, I am attaching instruction on wire transfers. J←

Debra Brittingham

Appendix C page 2 of 3

~~BRITTINGHAM~~
~~Debra Brittingham~~
~~1) PCT/LT03/00061~~
~~2) \$323~~
~~000~~
~~TNT 003 868~~

7/29/2004 17:23 FAX 703 305 2919

USPTO PCT HELP DESK

004

In addition to the attachment information, the applicant should submit any identifying PCT serial numbers and a PCT Legal point of contact (Debra Brittingham). Once the Office of Finance contacts me to let me know the money has arrived, I will inform the processing team that the money has been sent by electronic transfer.

The pertinent transfer information is listed below.

Name of Bank	Treas NYC (Treasury New York City)
ABA #	021030004 (Bank Routing Code)
ALC#	13100001 (Patent Office acct. # with Treasury)
DBI	(details)

Wire
Transfer
Instructions

Appendix C page 3 of 3
includes wire transfer
instructions



Banca Intesa

Banca Intesa S.p.A. Sede Sociale Piazza Paolo Ferrari 10 20121 Milano
Capitale € 3.981.000.000,00 Numero di iscrizione al Registro Imprese
di Milano e Codice Fiscale 02708800152 Partita IVA 00101000152
Codice ABI 0080,3 Adesione al Fondo Interbancario di Tutela dei Depositi
e al Fondo Nazionale di Garanzia iscritta all'Albo delle Banche al n. 6381
e Capogruppo del "Gruppo Intesa", iscritta all'Albo dei Gruppi Bancari
Numero Verde 800 010101

PAG: 0001/0001

BOLOGNA VIA A. MORO

Date: August 9, 2004

BOLOGNA

09/08/2004

ORDINE DI PAGAMENTO

NOSTRO RIF. 4571-72984

IN RELAZIONE AL TRASFERIMENTO DI:
USD *632,00*AL CAMBIO DI 1,224161
PARI A EUR*516,27*ADDEBITIAMO, CON VAL. 09/08/2004
SUL VOSTRO CONTO NR. 4570-26046810190

EUR *530,66*

EUR *CINQUE*TRE*ZERO,66*

IMPORTO
COMM.TRASF.D OPERAZ.IN CAMBI
SPESE

FIL : 4570

PB. 0001/03968

MATTIOLI ALESSANDRO

VIA DANTE 16
40069 ZOLA PREDOSABENEFICIARIO:
/13100001
PATENT OFFICE

Beneficiary- Patent Office

PRESSO:

TREAS NYC
TREASURY NEW YORK CITY
FW 021030004as per PCT
helpdesk
instructions
of Appendix CMOTIVO DEL PAGAMENTO:
516,27 PCT/IT03/00061
4,13 ATTN. DEBRA BRITTINGHAM
10,26USPTO
employee

NOSTRE COMUNICAZIONI:

CI RISERVIAMO DI ADDEBITARVI EVENTU
ALI SPESE E COMMISSIONI RECLAMATECI

Banca Intesa S.p.A.

Cand

Appendix D
page 1 of 2
Wire transfer
Confirmation

ATTIOLI ALESSANDRO
(Nome e cognome o ragione sociale e indirizzo)

Zola Predosa 03/08/04
(Piazza) (Data)

Ns. riferimento: _____

N. Meccanografico _____

Codice Fiscale _____

Spettabile



Banca Intesa

BO - FIERA

Per nostro ordine e conto vogliate effettuare il seguente:

☒ **ORDINE DI PAGAMENTO ALL'ESTERO**

A mezzo: ☒ **SWIFT**

☐ **IFT**
MASSA
PAYMENT

☐ **TELEX**

☐ **LETTERA**

☐ **ASSEGNO da inviare:**

☐ a noi medesimi

☐ al beneficiario

Importo: 632,00 NETTO

Beneficiario: VEDI ALLEGATO

Sul conto: _____ presso la Banca: _____

Motivo del pagamento: PCT/IT03/00061 - ATTN. DEBRA BRITTINGHAM

Condizioni particolari: _____

☐ Vi alleghiamo la seguente documentazione: _____

Copertura dell'operazione (comprensiva delle Vostre commissioni e spese, nonché quelle eventualmente reclamateVi dalla Banca estera):

☒ con addebito sul nostro conto corrente n. 2604631/0110 presso di Voi.

☐ con addebito sul nostro conto divisa in _____

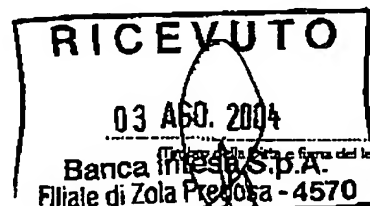
☐ in «conto anticipo» _____ per _____ giorni al tasso annuo convenuto del _____ %.

Impegnandosi irrevocabilmente a versarVi, entro la scadenza del suddetto periodo di durata, salvo proroga che ci dovesse concedere a Vostro giudizio, l'importo anticipato, maggiorato di interessi ed accessori, autorizzandoVi fin d'ora comunque a darci debito in conto del relativo importo, il tutto secondo le risultanze delle Vostre note contabili.

«Dichiaro/dichiariamo di essere a conoscenza che per i pagamenti da eseguire negli Stati Uniti d'America e per i pagamenti da eseguire a mezzo IFT (Mass Payment), le banche danno corso alle relative istruzioni facendo prevalere il codice di conto rispetto alla denominazione del beneficiario esplicitata in chiaro.

Pertanto, qualsiasi inconveniente o danno che dovesse derivare dall'eventuale errato pagamento determinato dall'inesatta indicazione del codice da parte mia/nostra resterà a mia/nostro completo carico. Sarà inoltre in Vostra facoltà addebitarmi/ci, in ogni momento, gli importi a Voi reclamati dalle banche corrispondenti in relazione alle eventuali richieste risarcitorie alle stesse opposte dal beneficiario, nel caso di errata esecuzione degli ordini dipendente da inesatta indicazione del predetto codice».

Appendix D
page 2 of 2
Wire transfer confirmation



ALESSANDRO MATTIOLI

Via Dante, 16

40069 ZOLA PREDOSA - BOLOGNA

ITALY

Tel. +39 051 754397

Fax +39 051 702156

E-mail: alessandro.mattioli@aruba.it

To:

U.S.P.T.O.

To the kind attention of the Office of Initial Patent Examination

September 10, 2004-

SUBJECT: PCT/IT03/00061 (30th month time limit: August 8, 2004)

^^^ ^^

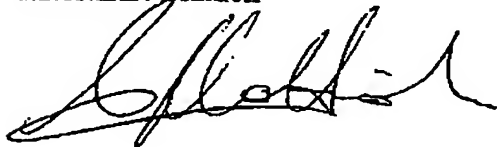
Dear Sirs,

hereby I'd like to ask you information about my application concerning the International demand PCT/IT03/00061 for which I asked a national entry phase in U.S. during the last August (you received the documents in date 5th). I have not received neither confirmation nor other correspondence. Did you accept the date of payment (my bank executed my order of wire transfer with one week delay ...)? Are there problems? I hope that you could help me (I will apply for a Customer Number, perhaps, in future, but now, for this application only, I ask your kind help).

Thank you in advance for your kind reply.

Best regards,

Alessandro Mattioli



Appendix E

Status Inquiry

page 1 of 1

P.T.O never responded

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